



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

PGS  
F. #2016R01021

*610 Federal Plaza  
Central Islip, New York 11722*

June 27, 2025

By ECF

The Honorable Gary R. Brown  
United States District Judge  
United States District Court  
Eastern District of New York  
940 Federal Plaza  
Central Islip, New York 11722

Re: United States v. Alexi Saenz  
Criminal Docket No. 16-403 (S-8)(GRB)

Dear Judge Brown:

The government respectfully submits this letter to supplement its sentencing memorandum, dated May 16, 2025 (the "Government's Memorandum"), and provide additional evidence regarding the defendant's involvement in an attempt to smuggle contraband into the Metropolitan Detention Center – Brooklyn ("MDC") on December 1, 2024 (the "Attempted Smuggling").

I. Background

On the morning of December 2, 2024, employees of the MDC located and recovered a package containing contraband (the "Package") on the fourth-floor roof of the MDC. Specifically, the Package contained the following: 18 cellular telephones; approximately 345 grams of a green-leafy substance believed to be marijuana; 9 boxes of Newport cigarettes; 6 packages of Bluntville rolling paper; 1 package of Bob Marley rolling paper; 2 sets of earbuds with microphone; 17 charging cables; 10 black charging blocks; and 1 water bottle containing 1 Liter of clear liquid of drinking alcohol.

Subsequent interviews of MDC employees revealed that at least one person ("Witness-1") observed the attempted introduction of the Package into the MDC. Specifically, on December 1, 2024 at approximately 8:30 p.m., Witness-1 observed movement near the corner of the MDC building at 29th Street and Second Avenue. After Witness-1 moved closer, Witness-1 saw a long (approximately 2 feet in length by 6 inches in diameter) package being pulled by a rope towards the MDC building. Witness-1 estimated that the rope, which had

appeared to be pieces of cloth that had been tied together, went up to the sixth to eighth floor of the MDC building.

On the morning of December 2, 2024, MDC employees recovered the Package on the roof of the MDC building, in close proximity to where Witness-1 described having seen the line. The Package was wrapped in white and gray laundry bags, like the ones from the prison, and there was a water bottle and bar of soap also tied to the outside. Due to the location of the recovery, among other things, MDC investigators suspected that the Package was destined for the MDC unit that houses only MS-13 members (the “MS-13 Unit”).

Later on December 2, 2024, MDC investigators conducted a search of the MS-13 Unit. Pursuant to that search, officers recovered two cellular telephones and several homemade weapons. One of the cellular telephones was assigned a number ending in 2450 (the “2450 Phone”). Officers also observed a broken window on the second tier of the MS-13 Unit in an uninhabited cell that was left unlocked (the “Cell”), leading investigators to believe that the line used to draw the Package to the MDC roof originated from the Cell.

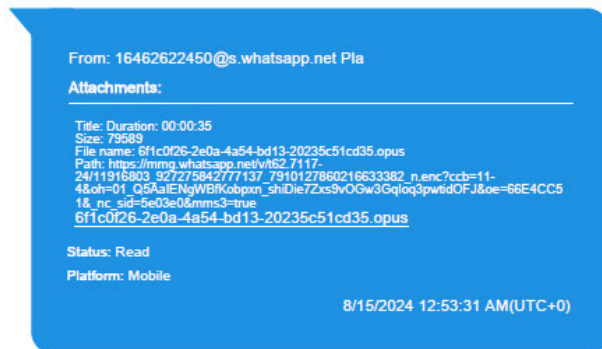
On March 3, 2025, the defendant’s cousin, Jairon Ortega-Corea, was arrested and charged with attempting to smuggle the Package into the MDC, in violation of 18 U.S.C. § 1791. At the time of his arrest, law enforcement seized Ortega-Corea’s cell phone (the “Ortega-Corea Phone”) with an associated number ending in 0669 (the “0669 Number”).

As set forth in detail below, evidence collected through that investigation clearly establishes the defendant’s involvement in the Attempted Smuggling. This evidence includes not only items recovered from the Ortega-Corea Phone, which revealed WhatsApp communications between Ortega-Corea and the defendant, who was using the 2450 Phone, but also records from the MDC.

## II. Evidence Recovered From the Ortega-Corea Phone

The evidence recovered from the Ortega-Corea Phone includes WhatsApp communications with the 2450 Phone between July 2024 and December 2024. A copy of those communications with translations of the text and voice messages from Spanish to English has been attached hereto as Exhibit 1 (the “WhatsApp Evidence”). A review of the WhatsApp Evidence clearly establishes the defendant as the individual using the 2450 Phone to communicate with Ortega-Corea during that period and further, that he orchestrated the Attempted Smuggling by giving instructions to and coordinating with Ortega-Corea leading up to and during the execution of the plan.

For instance, the defendant self-identifies in a voice message to Ortega-Corea from August 14, 2024, referring to himself as “Placky,” which is one of the defendant’s nicknames set forth in the Eighth Superseding Indictment:<sup>1</sup>



OK, that's the number. Text him to that number. And also send him the screenshot to that number once you have sent that errand. And let him know that, that is on behalf of Placky. And also let him know that the money is taken care of and please tomorrow first thing in the morning we're going to do that errand. But text him through WhatsApp. And send him something, don't just send him a message like that, if it's possible, call that son of a bitch by video and tell him through a video because you know, it's more trustworthy like that. But send him a message showing him the screenshot of that errand, and explain it to him .

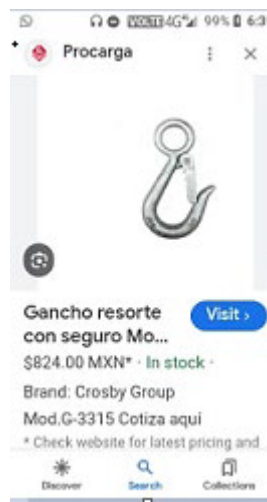
Exhibit 1 at 7.

Then, the day before the Attempted Smuggling on November 30, 2024, the defendant sent Ortega-Corea a screen shot of a hook.



Image of a spring hook with lock for purchase

<sup>1</sup> The date stamps on the WhatsApp messages are in UTC time, which is 5 hours ahead of Eastern Standard Time (“EDT”). All references to the timing of the messages herein will reflect EST (UTC minus 5 hours).



Id. at 39.

On December 1, 2024, at 6:39 p.m., just two hours before Ortega-Corea and a co-conspirator were seen at the MDC attempting to deliver the contraband to the MS-13 Unit, Ortega-Corea sent the defendant an 8 second video on WhatsApp of the Package.

Video clip of small bundles wrapped together with spring hooks attached.

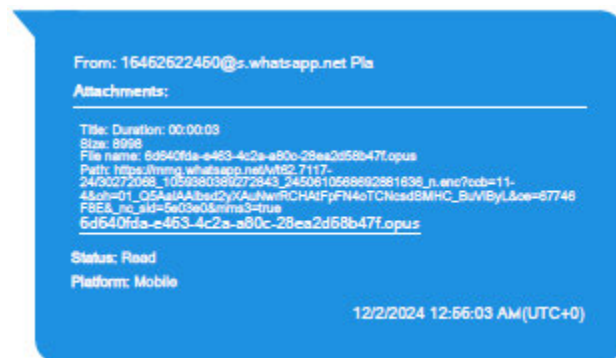


Id. at 41.

A similar hook to the one the defendant sent a picture of the day before can be seen attached to the package. The following are still images from the video:



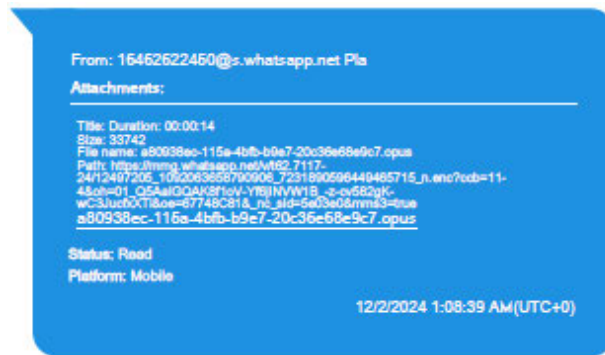
The messages that follow detail how the defendant communicated with Ortega-Corea to coordinate when it was safe to deliver the package and clearly demonstrate his principal role in the Attempted Smuggling:



I will reach out to you shortly, give me a few minutes

(12/1/2024 7:55 p.m.)

Id. at 42.

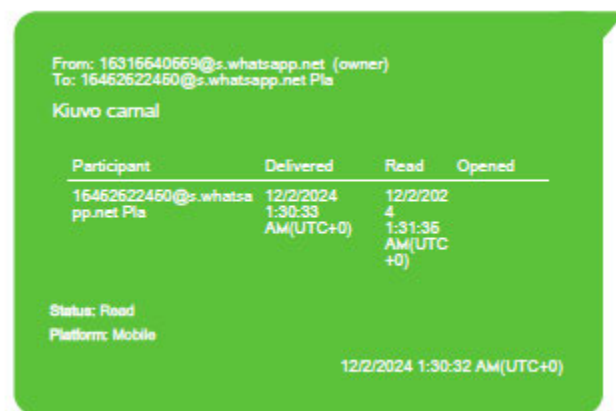


Look, wait until about 8:30 because right now there are some officers here, because we are watching this thing, but just wait because we want this errand to come out right. We don't want to do it and it becomes a big problem. Just wait there for a little bit.

(12/1/2024 8:08 p.m.)

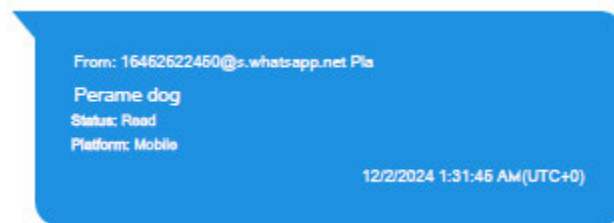
Id. at 43.<sup>2</sup>

What's up brother?



(12/1/2024 8:30 p.m.)

Id.



Give me a second dog

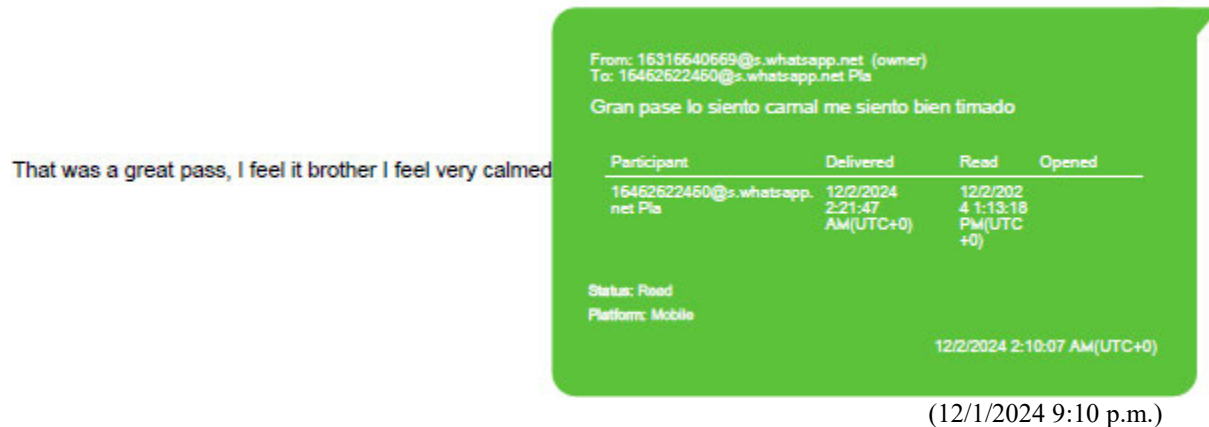
(12/1/2024 8:31 p.m.)

Id.

<sup>2</sup> The above voice messages were compared by the undersigned to the voice message where the defendant self-identified as "Plaky" (Exhibit 1 at 7, supra at 3), as well as to the defendant's previously obtained recorded jail calls, and the voice in all of the recordings appear to be the same individual, the defendant.



Shortly after 8:30 p.m., Ortega-Corea and a co-conspirator unsuccessfully attempted to deliver the Package. However, not realizing that the plan had failed, Ortega-Corea sent the defendant this message at 9:10 p.m.:



Id. at 45.

The last time the defendant attempted to contact Ortega-Corea using the 2450 Phone was on December 2, 2024. After the Package was discovered and its intended destination was identified as the MS-13 Unit, officers searched the unit on December 2, 2024, and seized the 2450 Phone.

Additionally, a review of T-Mobile records revealed the 0669 Number received eight phone calls from the 2450 Phone on December 1, 2024, the date that the Package was delivered to the MDC, which total approximately 15 minutes of connecting time.

As set forth above, the defendant's participation in the Attempted Smuggling is self-evident from the WhatsApp Evidence, which provides irrefutable proof of his involvement in the planning and execution of the failed plan.

### III. MDC Records

As part of the investigation, the government also obtained the defendant's MDC records, including a Phone List, Visitor List, call detail records, visitor records, as well as his recorded phone calls. These materials further evidence the defendant's contacts with Ortega-Corea during the relevant period, as well as his efforts to conceal those communications by submitting false information to the MDC, and likewise support the conclusion that the defendant orchestrated in the Attempted Smuggling.

The records show that Ortega-Corea was one of the defendant's approved visitors and reflect the 0669 Number as being associated with him.

Visitor List						
Visitor Nm	Relationship	Address	City	St	Zip	Phone
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
ORTEGA-COREA, JAIRON	BROTHER	[REDACTED]	[REDACTED]	ABY	[REDACTED]	[REDACTED] 0669

The records further reveal that Ortega-Corea visited the defendant at the MDC on November 24, 2024, exactly one week before the Attempted Smuggling, again noting the 0669 Number associated with Ortega-Corea. Id.

Visits							
Visitor Nm	Relationship	Address	City	St	Zip	Phone	Start Date
ORTEGA-COREA, JAIRON	BROTHER	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED] 0669	11/24/2024 2:03:41 PM

Notably, on December 4, 2024, two days after the failed delivery and after MDC staff had seized the 2450 Phone, the defendant added the 0669 Number to his Phone List. However, in an obvious effort to conceal communications with his cousin, the defendant associated the number with the name “Vic Abreu,” one of his attorneys, rather than inputting it under Ortega-Corea’s name.

Phone List						
Creation Date	Last Change Date	Loc	Status	Phone	Contact First Nm	Contact Last Nm
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
12/4/2024 9:07:19 AM	12/4/2024 9:07:19 AM	BRO	Active	[REDACTED] 0669	Vic	Abreu

Thereafter, on December 13, 2024, the defendant had an 11-minute call with Ortega-Corea, not his attorney, on the 0669 Number.

Calls						
Start Date	Loc	Completed	Duration	Phone	Contact First Nm	Contact Last Nm
12/16/2024 1:53:37 PM	BRO	Yes	8	[REDACTED]	[REDACTED]	[REDACTED]
12/13/2024 8:32:21 PM	BRO	Yes	5	[REDACTED]	[REDACTED]	[REDACTED]
12/13/2024 6:26:21 PM	BRO	Yes	11	[REDACTED] 0669	Vic	Abreu

A recording of that call has been translated from Spanish to English and is attached hereto as Exhibit 2. The following are the most relevant excerpts from that call:

Ortega-Corea: Ok. Nothing, since I hadn’t heard anything from you, for days now Doggy.



Defendant: No, dude, well it's that, that errand has died. So, I also need you to tell the, the bosses there as well, tell them not to be on that line because it's all fucked up.

Ortega-Corea: Ok, right away brother, you know that, right?

Defendant: Let our buddies know, so that they can let the rest of them know there. You know, so that the spread the message to take it easy with that errand, because it's dead.

Ortega-Corea: Right away, the L right?

Defendant: Yes.

Exhibit 2 at 2.

It is plainly evident in this call that the defendant is referring to the failed operation when he states that the “errand has died.” He also clearly directs Ortega-Corea to contact gang leaders when he refers to “the bosses” to let them know that they should no longer use the “line” or the “L,” referring to the contraband cell phones seized in the MS-13 Unit immediately following the incident, including the 2450 Phone, to communicate with the MS-13 members inside the MDC because law enforcement now has them.

Indeed, this call is more compelling evidence of the defendant's significant role in the highly orchestrated plot to restock the MS-13 Unit with a myriad of prohibited items, including 18 cell phones, as well as his leadership status inside the prison. Those devices would have provided all of the gang members in the unit with easy access to untraceable communications with individuals outside of the facility, including other members and leaders of the gang, enabling the incarcerated members to continue to facilitate the MS-13's criminal activities from inside the prison. Relatedly, the substances contained in the Package—which are neither regulated nor tested—would have presented a physical risk to not only inmates in the MDC, but also security officers responsible for the safety and wellbeing of prisoners.

Thus, the evidence set forth herein overwhelmingly establishes the defendant's participation in the Attempted Smuggling. This conduct further demonstrates the defendant's firm commitment to the MS-13 and stubborn unwillingness to cease his active involvement in the gang's criminal activities inside the jail, even as he is pending sentence and risks incurring a more severe sentence and possibly jeopardizing his plea agreement with the government. It also reinforces the danger that he presents to the public, even while incarcerated. Accordingly, the defendant's significant role in this recent criminal conduct, along with the other factors previously addressed in the Government's Memorandum, warrants the maximum sentence under the plea agreement of 70 years.

IV. Conclusion

For the reasons set forth herein and in the Government's Memorandum, the government respectfully requests that, after careful consideration of the § 3553(a) factors, the Court should sentence the defendant to 70 years in prison.

Respectfully submitted,

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Attachments

cc: Counsel of record (By email)